RESOLUTION NO. 20060302-020

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire fee simple title to a certain real property for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase the needed real property but has been unable to agree with the owner on the fair market value thereof; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner:

Derek S. Lin Family Limited Partnership

Project:

Austin Bergstrom International Airport Noise Mitigation

Program

Intended Purpose: reduce noise impacts to the public resulting from aircraft take off and landing and other activities at the Austin Bergstrom International Airport and ensure land use compatibility within the airport vicinity.

Location: 2525 Highway 71 East, Del Valle, Texas

(A.) Lot One-A (1-A), Resubdivision of Lot One (1), Property: Bergstrom Village Number One Amended, an Addition in Travis County, Texas, according to the map or plat recorded in Volume 74, Page 97 of the Plat Records of Travis County, Texas and

> (B.) Lots A, B, C, D, and E, Bergstrom Village Number Four, an Addition in Travis County, Texas, according to the map or plat recorded in Volume 79, Page 387, of the Plat Records of Travis County, Texas, as further described in the attached survey.

ADOPTED: March 2___, **2006**

ATTEST: Shirley A. Gentry City Clerk

